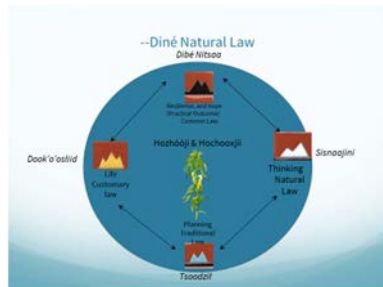


Navajo Nation/U.S. EPA Tronox Meetings

Wednesday December 2 (1:30 pm - 4:30 pm)

Thursday December 3 (8:30 am – 5:30 pm)



Slide from Chief Justice Yazzie's presentation



Location: 75 Hawthorne St, 11th floor Maui room

Participants: U.S. EPA R9/R6, NNEPA Superfund, AML, and NM

Facilitator: Lori Lewis

Meeting Summary

On December 2-3, approximately 30 people from US EPA Regions 6 and 9, Navajo Nation agencies (EPA, AML, OMB), New Mexico environmental agencies and invited guests met to share updates and information on past and future Tronox related activities and to jointly identify a shared vision and roadmap for working together on Tronox. Navajo EPA Superfund program staff were unable to participate due to funding issues. Several Navajo EPA staff and USEPA staff did participate via conference call.

The group identified the following shared vision for our work together.

Our shared vision is to

- **Restore harmony and healing of communities and the land in our work**
- **Incorporate Navajo fundamental Law and cross-cultural understanding into the cleanup process**
- **Work with impacted communities to improve public understanding**
- **Put life into what we do by working together and cooperating**
- **Create significant and meaningful jobs and job training for the Navajo people**
- **Pursue expeditious efficient and effective cleanups while collaborating with impacted communities**

Next Steps and Action Items

For Proposed FY16 projects

Information was shared on both FY15 project status and proposed FY16 projects. Everyone will provide comments and concerns on FY16 proposed comments to Chip and Lisa. There was general agreement that if there are no outstanding issues raised, proposed projects will move forward.

There was also general agreement by all (Navajo agencies held a short caucus to discuss this) to proceed with the West EE/CA work and the funding (\$175,000) for the Navajo Superfund building due to timing and funding considerations.

Specific Action Items

What	Who	By When	Status
1. Send Navajo OMB (Cindy) relevant draft info on AML contract	Angelica (R9) Madeline (AML)	12/11	
2. Include maps and talking points for the mines into the Community Involvement plans	Chip, Lisa David Yogi	As developed	

What	Who	By When	Status
3. Request time with NN Council to provide a briefing Include in briefing information on <ul style="list-style-type: none"> a. Community questions/ideas b. The difference between Tronox and non-Tronox sites c. Definition of “priority” sites 		Present at next council meeting on 1/17/15	
4. Set up meeting to further discuss Tronox and funding and how best to explain it to the community and Tribal Council	Chip (R9) Dr. Benn	TBD	
5. Follow-up with Cassandra on Navajo Labor requirements	Chip and Autumn	12/11	
6. Identify contract communication plan. Update list of recipients. Send this to Tronox team for review	Chip and Autumn	12/11	Chip and Autumn are drafting the Communication plan.
7. Data Management Portal <ul style="list-style-type: none"> • Follow-up with Darrell re. how this fits in with the Data Exchange? • Follow-up with Dave on DOE legacy management site 	Randy (Chip will brief Randy on meeting conversation and questions)	TBD	
8. Revise 2016 Prop. Act and Goals table to include cooperative agreements with NNEPA, AML and universities	Chip	12/9 (1 st draft for everyone to review) 12/18 (revision)	Completed
9. Send Chip any additional information on funding	All	12/11	
10. Arrange follow-up meeting to discuss EE/CA and CI projects (e.g., East EE/CA and Quivira)	Clancy (lead) R6 NNEPA	12/18	
11. Set up a follow-up call to discuss jurisdictional issues re. the West EE/CA	Pam and Laurie (leads) Chip, Lisa, Susan	Integrate into project timeline	
12. Make connection with Frances Totsoni (community liaison) and community outreach group re. upcoming events and contract opportunities	Autumn and David Yogi	12/18 and ongoing	
13. Develop short vision statements from cover story themes	Small groups	At break	Completed
14. Provide comments on FY16 projects to Chip and Lisa	All	12/18	Completed
15. Send “big drone” information and El Paso and Navajo contacts/connections information to Chip and Randy	Cassandra	When she finds it	Completed

Bike Rack and Outstanding Questions

1. On Stuart’s slides (slide #14) is the cleanup level based on 7 day or 91 days?
2. Do the scenarios look at levels in different organs of animals (e.g. cows, etc?)

3. Cove community expressed concern at a recent community meeting about non Tronox sites in the community (shared by Madeline, AML)

Closing Comments

Closing comments were provided by Clancy and Ben thanking everyone for attending and participating. Dr. Benn and several of the Navajo Nation participants also provide closing comments emphasizing the need to work together.

Detailed Meeting Notes:

Opening

Opening comments were provided by Clancy (R9), Ben (R6), Dr. Benn (NNEPA) and others. Each person introduced themselves and Lori Lewis, our facilitator reviewed our agenda and logistics for the meeting.

Chip reviewed the May 2015 action items, highlighting a few of them.

Comments

- Navajo OMB wants to be involved in the AML contract process
- Combine maps and talking points for mines into the community involvement plans

Long Term Project Planning

Common Vision for our Work Together

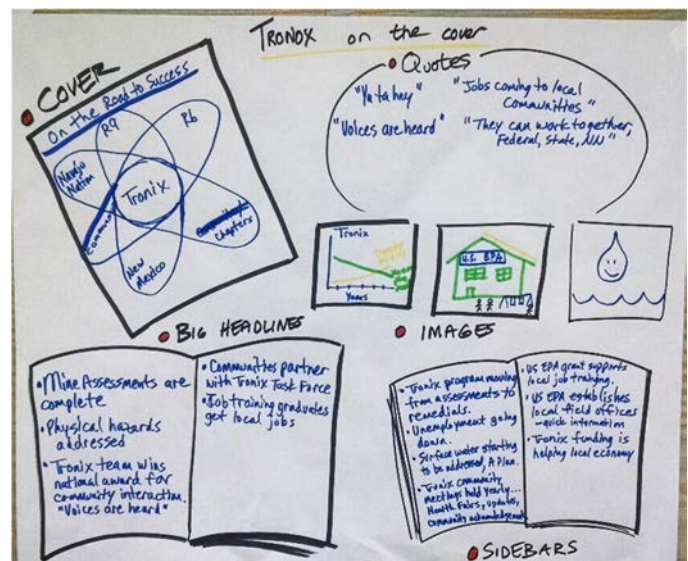
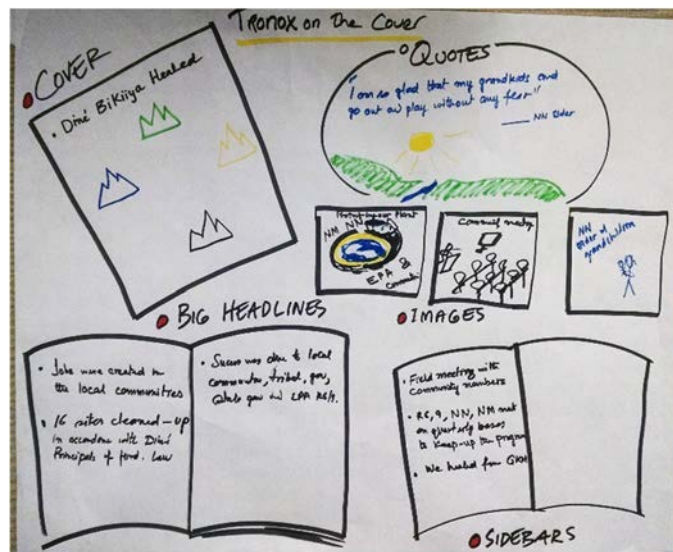
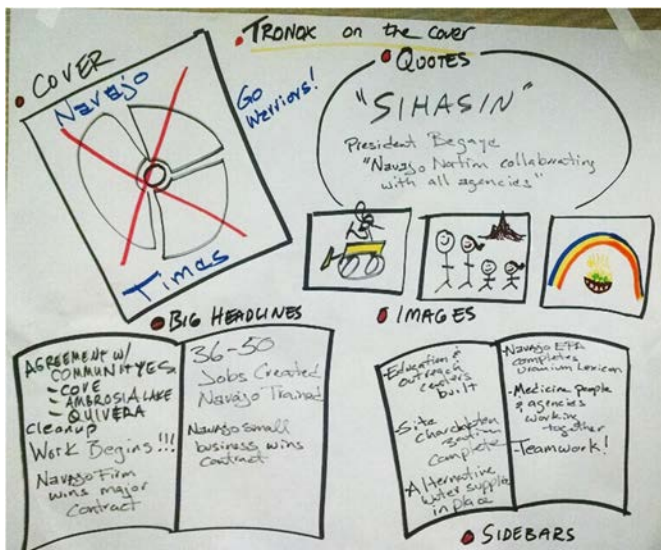
The group reflected back on Chief Justice Yazzie's presentation on Fundamental Law and worked in small diverse groups to develop a cover story that described the Tronox multi agency team's future success. They identified common themes which small groups over break and lunch developed into vision statements.

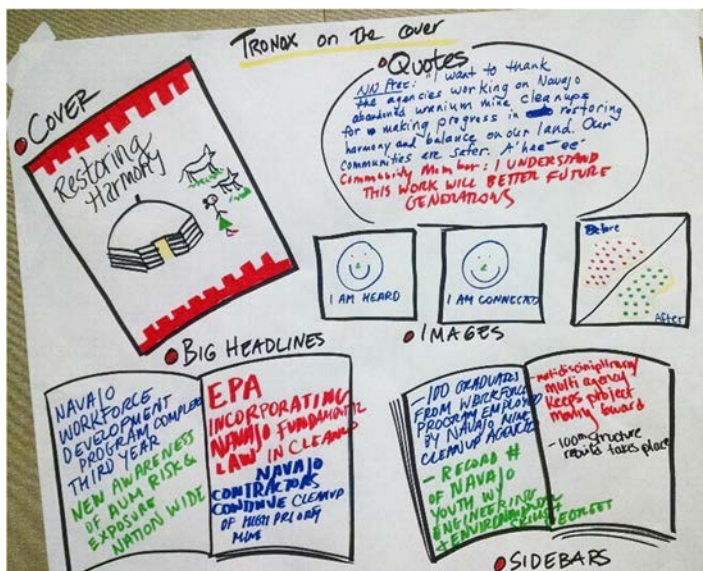
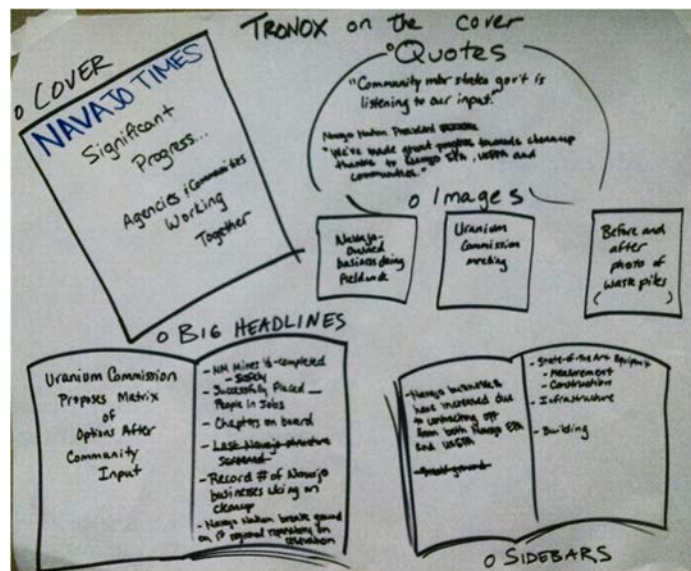
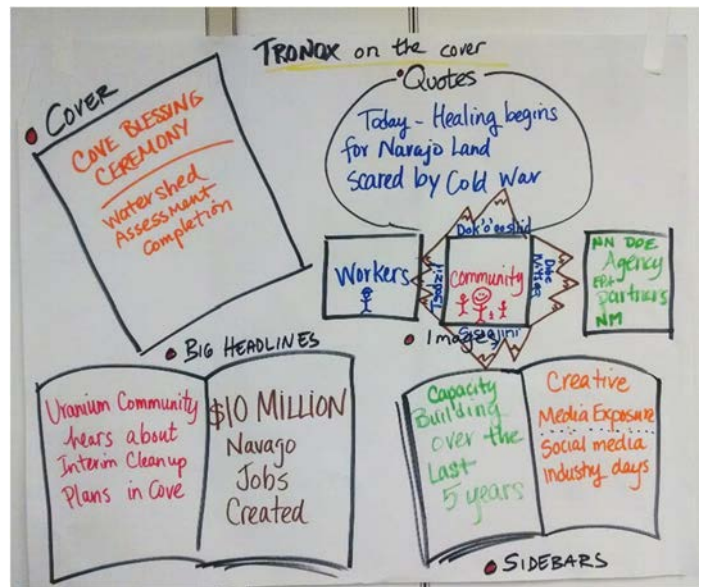
Our shared vision is to

- Restore harmony and healing of communities and the land in our work
- Incorporate Navajo fundamental Law and cross-cultural understanding into the cleanup process
- Work with impacted communities to improve public understanding
- Put life into what we do by working together and cooperating
- Create significant and meaningful jobs and job training for the Navajo people
- Pursue expeditious efficient and effective cleanups while collaborating with impacted communities



Slide from Chief Justice Yazzie's presentation





What could wrong

The group individually identified the following issues. Lori Lewis, our facilitator grouped them in categories. We used these categories to identify future bumps for our work. At future meetings, we will develop procedures and agreements that will assist us in coordinating and communicating as we work together

Numbers in () indicate number of post its that shared the same idea

Ineffective/lack of Communication

- Ineffective communication/Miscommunication/Misunderstanding (7)
- Communication lines could break down if not maintained
- Lack of communication in updating partners
- Miscommunication of our goals
- Need to have open communication
- We could talk but not understand each other
- Breakdown or incomplete communication (3)

Don't focus on shared goals and follow-up

- Do not solve most pressing problems
- We could become overwhelmed by minutia and fail to continually focus on completing cleanups
- Misunderstand could lead to chaos and create issues
- Misunderstanding of goals or objectives
- Misunderstanding one another approach to solving a problem
- No follow-up; no clarity of issues (3)
- Don't understand what priority means or have so many priorities that we have conflicting priorities

Inter-team issues

- No partnership; no collaboration (2)
- Lack of affirmation and/or perspective of each other's work
- Personality conflicts with other team members
- Emotional upsets
- Personal or political agendas that conflict with team objectives
- New staff members, new duties, reassignments, retirements

Lack of understanding re decision-making and what to do when we disagree

- Differences of opinion regarding priorities
- Jurisdictional issues could delay actual work
- Field work delayed by disagreement on unrelated issues
- Agencies fight with each other/blame each other/don't support each other
- Doing the same thing differently, i.e., inconsistency
- Lack of team decision making
- No set agreed upon procedures on what to do when differences cannot be resolved at staff levels

Not including people (on the team)

- Leaving key people/organizations out of the loop/participation
- Forgetting to include people because there are so many interested parties and moving parts

Problems with funding and/or finances

- Negative audits of any organization spending Tronox funds, e.g. at USEPA, NNEPA, AML, NAU, New Mexico
- Funding allowances, strict rules on spending
- At the program level a lot could happen in realm of maintaining the budgets to match the workplans, thus creating obstacles
- Funding approval delays could result in actual clean-up effort delays

Lack of support and/or resources

- If necessary, support is not maintained it (the program) will falter

Lack of Community involvement or messaging

- Lack of community involvement/engagement/feedback
- That the impacted community members are not as involved as they would like to be
- Leaving communities out of the discussions
- Communities not engaged in the work and not benefitting or supporting work
- Community not attending the meetings
- Inconsistent messaging
- Terminology – public relations, not being able to explain the information in Navajo and English

Data (lack of sharing or inaccurate)

- Data sharing issues
- Not updating data in timely fashion
- Providing inaccurate or inconsistent data
- Too technical, people can't understand

Specific to NNEPA and other NN issues

- NN needs help in hiring the right people to help the Superfund program. Other agencies need to help them
- Need NNEPA to be aware of all site visits and try to have NNEPA staff at the location as much as possible
- There might not be enough staff to do the work (NSP)
- Inconsistent communication between NN agencies and with Tribal Council

Technical and/or site-specific issues

- Vertical extent of each site
- Dealing with all of the dwellings
- Cleanup is not done to a satisfactory basis
- Fully characterize each NAUM site on the complete delineation of site that will include ancillary adjoin sites that may or may not belong with the defined NAUM
- Watershed characteristics
- Scheduling issues/timing

Miscellaneous issues and other comments

- Being careless – something Chief Justice Yazzie brought up in his presentation
- Unforeseen circumstances coming to light after a project starts
- Politics could influence our work

Financial Funding Cost and Reporting – Chip Poalinelli (see presentation)

Comments

- Dr. Benn stressed the Importance of getting accurate up to date information. We share this information with the Tribal Council and the President.
- Tribal Council wants to know how funds are being used and who makes the decisions. They also have raised the following questions
 - Can the community identify a project and provide data to NNEPA, etc.?
 - A. The settlement gives the decision-making authority to USEPA in consultation with NNEPA. We can consider projects suggested by community but there may be limitations. Consultation with all stakeholders is a key step in the overall process. Community members can always talk to the project managers.
 - What resources are available to provide technical assistance to the community?
- People are confused- What is a priority site? What is a Tronox site? Are they the same or different? We need a better word than prioritization.
- It would be helpful to brief the Tribal Council on these and other issues/questions.
- We need to include in the Project Implementation process steps to address long term monitoring, operations and maintenance.
- The Navajo Tribal Council wants the Tronox work to be
 - Transparent
 - Coordinated
 - Communicated (i.e., open channels at all levels)
- Tribal Council would also like to know about projects and contracts prior to being awarded or started and would like to see documentation on all of the projects which are using Tronox funds (including R6 work on non-Navajo lands)
- We need to look at additional ways to publicize contract opportunities
- A suggestion to have some industry days on the Navajo reservation. Tuba City and Shiprock have offered to host.

Project Updates (see PowerPoint presentations for details)

For each project, the presenters updated the meeting participants on

- *FY15 activity status/progress*
- *FY16 projected activities and cost*

The entire group then asked clarifying questions, provided comments and identified “possible bumps in the road” for FY16.

Region 9 Lead projects

Cove Wash - Wilson Yee, R9

Comments/Questions

- Were the samples taken on the banks?
- Were the RAD measurements (baseline) taken for people working in the field
 - A. For those working more frequently/directly in the field i.e., contractor (Weston) and EPA had TMDL badges. For the surface water sampling real time dosimeters were used. For P. Charley's students who assisted in the sampling it was determined that there is less risk and TMDL badges were not needed.

Possible Bumps

- Communication – the safety radios and cellphones have failed in the field (Suggestion: look at amateur radios available in the area)
- Ensuring the safety of those working in the field e.g., cost of providing RAD badges for everyone who is in the field
- Communicating the technical information to the community
- Road access in inclement weather
- Making sure there is signage on all of the wells

Cove Transfer Station #1 (Chip, R9)

Possible Bumps

- Communication with community and coordination with the Chapter

Cove Day School (Chip for Gaelle)

Possible Bumps

- If BIA doesn't make a formal request
- Coordination between different agencies and organizations (BIA, NNEPA, school, school boards, etc.)

ASPECT (Chip for Randy)

Comments

- Could drones be used for assessments?
 - Drones are usually used for “hot spots” and are not good for general assessment because the equipment exceeds drone payload capacity.
 - Cassandra knows of a “big drone” which has a bigger payload capacity

Possible Bumps

- Funding for non-Tronox sites
- Community communication when the area contains both Tronox and non-Tronox sites

LIDAR (Chip for Randy)

Comments

- \$1 Million is expensive; Evaluate if this is the best use of funding

Possible Bumps

- Mexican spotted owls and Golden Eagles may be nesting and we need to look at our schedule and adjust accordingly

Removal Site

Possible Bumps

- Number of identified areas etc. (on Randy's slides)
- Creating roads is tricky; need to consult/communicate/coordinate with NEPA and Navajo Fish and Wildlife

- Biological Hazards in the field (e.g., bees, bears, bulls, snakes, mt lions, etc.) could be an issue

Section 32/33 EE/CA

Possible Bumps

- Territorial/jurisdictional issues that need to be resolved (i.e., Section 10, 32, 33 – R6 and R9 attorneys are currently working on this)
- Access issue at Section 33 – R6 may need to assist R9 in getting access
- If Uranium Commission is not kept informed it will be difficult to have a conversation regarding the remedy

Data Management Portal

Comments

- How is the Data Management Portal tied to the Data Exchange Plan?

Quivira (Mark R., R9)

Possible Bumps

- Community concerns, i.e., possible transport of materials– both Ambrosia Lake and Quivira communities)
- Timing of EE/CA release – might be good to have a report that analyzes the options

Community Involvement (David Yogi, R9)

Comments/Ideas

- How is Technical information (e.g., lexicon and glossary) communicated and shared with the communities? Some ideas are
 - Having a forum/open house with all of the agencies involved
 - Look at expanding some of the current efforts
 - Involve the 5-year plan community liaison, Frances Totsoni
- Chapter in the USEPA CI manual that includes the best practices

R6 lead projects

Community Involvement (Lisa)

Comments

- CIP will be completed in FY16 Q2
- There is a line item re. CI for possible \$60k to be used to work on consistent message (if needed and requested)

Grants Mining District (Lisa, Warren, John)

Comments

- New Mexico agencies have been very helpful in getting access and with sampling efforts
- In 2016 the goal for Water Sources
 - Not much fieldwork

- Focus on collecting and analyzing all of the information and data to identify any data gaps
- Know we have no data in the Baca Prewitt chapter; we could gather data that might be used on future projects
- West EE/CA is more critical to be funded

Possible Bumps

- Working with BIA if allotment land is involved
- If we tie East EE/CA and Quivira together, it may slow down progress due to community concerns
- HQ Review time – it may take a while since it is the first one of this type
- Time for review and comment – not sure how many comments we will receive, so not sure how long it will take to respond
- Coordination and outreach
 - With the Community (e.g., crossroads community)
 - With Baca Prewitt chapter (they may or may not be interested)
 - Coordination with R9 and NNEPA since R9 has the lead
 - Coordination and communication are difficult when R6 has to go through R9 in order to talk with NNEPA and NNDOJ
 - CIP strategy may address these issues

West EE/CA

Possible Bumps

- Jurisdiction issue with 2 mines